

### **REMARKS**

The undersigned thanks Examiner Wyszomierski for the courtesies extended during the interview of October 19, 2010. During the interview, the Examiner agreed that amending claim 1 to recite "a bulk-solidifying amorphous alloy that is free from Ni or Al" would overcome the pending rejection over 35 USC 112, first paragraph, for lack of written description.

The undersigned explained to the Examiner that in response to the Office Action of June 30, 2008, in which claim 1 was rejected as being obvious over Horton (P.G. Pub. No. 2002/0162605), the former attorney of record amended claim 1 in the Amendment of December 1, 2008, by adding the limitation "a bulk-solidifying amorphous alloy that is free from Ni, Al and Be." However, there was no need to limit the claim as such as Horton only discloses an amorphous alloy that is free of Be. See paragraphs [0037] and [0044] of Horton, which respectively disclose Be-free BAM-11 compositions of [Zr, Cu, Ni, Ti], and Be-free compositions of [Zr, Cu, Ti, Al]. The Examiner agreed that amending claim 1 to recite "a bulk-solidifying amorphous alloy that is free from Ni or Al" would be an appropriate amendment.

With respect to new independent claim 37, the Examiner suggested adding the limitation "of a near-to-net shape object" after "at least one surface feature" to avoid any rejection of this claim under 35 USC 112. The Examiner also clarified that claim 37 would not be rejected under 35 USC 112, first paragraph, for lack of written description.

Applicants have amended claim 37, as well as independent claim 53, as suggested by the Examiner.

The Examiner said that he would have to undertake another prior art search.

**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance. The Director is authorized to charge any fees necessary and/or credit any overpayments to Deposit Account No. 03-3975, referencing Docket No. 069648-0388449.

Respectfully submitted,

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